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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,112	02/06/2004	Yoshinobu Shibayama	B422-256	8382
26272	7590	01/11/2008		
COWAN LIEBOWITZ & LATMAN P.C. JOHN J TORRENTE 1133 AVE OF THE AMERICAS NEW YORK, NY 10036			EXAMINER QUIETT, CARRAMAH J	
			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 01/11/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/774,112	Applicant(s) SHIBAYAMA, YOSHINOBU	
	Examiner Carramah J. Quiett	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 3, 5, 6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 3, 5, 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/12/2007 has been entered.

Response to Amendment

2. The amendment(s), filed on 12/12/2007, have been entered and made of record. Claims 2, 3, 5, and 6 are pending.

Response to Arguments

3. Applicant's arguments with respect to claims 2, 3, 5, and 6 have been considered but are moot in view of the new ground(s) of rejection. However, some of the Applicant's arguments filed 12/12/2007 have been fully considered but they are not persuasive.

In the Remarks filed on 12/12/2007, the Applicant asserts that Ohmori does not teach or suggest the following limitation, which appears in each of claims 2, 3, 5, and 6:

“a main housing comprising [including] a first housing and a second housing, which are different from each other...”

The Applicant further explains that Ohmori has “...two separate housings, which can be attached or detached for one another using the adaptor unit...” (Remarks, page 7). Respectfully, the

Examiner disagrees with the Applicant. The limitations in each of claims 2, 3, 5 and 6 do not exclude the first and second housings from being separate or distinct. Besides, the each of the claims recites the limitation, "...a main housing comprising a first housing and a second housing, which are different from each other..." Based on that limitation, Ohmori's main housing is in fig. 1 (an accessory module connected to a camera), which includes a first housing and a second housing – i.e. refs. 10 and 12 – as well as the other components listed in fig. 1. This connection of all the components as shown in fig. 1 as well as fig. 7 creates a main housing. Reference numbers 10 and 12 are different from each other. As a main housing, the camera and the accessory module connection exists to transfer image signals for storing and/or displaying images (col. 4, lines 35-65).

For claim 2, the display unit and the signal processing unit are disposed in the first housing called the accessory module, and the recording unit is disposed in the second housing called the digital camera. Similarly for claim 5, the camera is also disposed in the second housing. Reference numbers 20, 26, 58, 59 and 80 serve as a recording unit for recording data on a recording medium when the adaptor unit 20 is inserted into the card terminal 80. The recording medium is the image memory or the accessory card, which are both apart of the accessory module. When images are stored, heat is generated due to the electrical connection (transferring of signal charges) between the memory card and the camera. Please see fig. 7 and read col. 4, line 35 – col. 5, line 41.

For claim 3, the display unit and the recording unit are disposed in the first housing called the accessory module/accessory card, and the signal processing unit is disposed in the second housing. Similarly, for claim 6, the camera is also disposed in the second housing. Please see

fig. 7 and read col. 4, line 35 – col. 5, line 41. Accordingly, the Examiner maintains the Ohmori reference as the primary reference for the rejection of claims 2, 3, 5, and 6.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. **Claims 2, 3, 5, and 6** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohmori (U.S. Pat. #5,790,193 – herein referred to as Ohmori) in view of Yatsugi et al. (U.S. Pat. #5,854,874 – herein referred to as Yatsugi).

For **claim 2**, Ohmori discloses an image recording apparatus (figs. 1, 2, 6 and 7) comprising:

a signal processing unit (fig. 6/fig. 7, ref. 10) for processing an image signal (col. 4, lines 1-34; col. 4, line 35 – col. 5, line 41);

a recording unit (fig. 7, refs. 20, 26, 58, 59, 80; col. 3, lines 10-31) for recording data by inherently heating a recording medium (figs. 6/7, refs. 20/56; col. 4, lines 14-65); This is inherent because when images are stored, heat is generated due to the electrical connection (transferring of signal charges) between the memory card and the camera (col. 4, lines 14-65);

a display unit (fig. 7, ref. 81) for displaying the image signal (col. 4, line 35 – col. 5, line 41); and

a main housing (fig. 1) comprising a first housing (ref. 10) and a second housing (ref. 12), which are different from each other (col. 3, lines 9-19),

wherein said display unit and said signal processing unit are disposed in said first housing (col. 4, line 35 – col. 5, line 41) and said recording unit is disposed in said second housing (col. 4, lines 1-34).

However, Ohmori does not expressly teach so that heat generated by said signal processing unit when said recording unit records the data is prevented from being conveyed directly to said recording unit.

In a similar field of endeavor, Yatsugi teaches so that heat generated by said signal processing unit (fig. 1, refs. 4 and 6) when said recording unit (ref. 7) records the data is prevented from being conveyed directly to said recording unit (col. 4, line 54 – col. 5, line 20). In light of the teaching of Yatsugi, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Ohmori with the apparatus as recited in claim 2 in order to protect the hard disk from external heat thereby reducing the size to the recording system (Yatsugi, col. 1, lines 35-40).

For **claim 3**, Ohmori discloses an image recording apparatus (figs. 1, 2, 6 and 7) comprising:

a signal processing unit (figs. 6/fig. 7, ref. 10) for processing an image signal (col. 4, lines 1-34; col. 4, line 35 – col. 5, line 41);

a recording unit (fig. 7, refs. 10/40) for recording data by inherently heating a recording medium (col. 4, lines 35-65); This inherent because when images are stored, heat is generated due to the electrical connection (transferring of signal charges) between the memory card/accessory module and the camera (col. 4, lines 35-65);

a display unit (fig. 7, ref. 81) for displaying the image signal (col. 4, line 35 – col. 5, line 41); and

a main housing (fig. 1) comprising a first housing (refs. 10/40) and a second housing (ref. 12), which are different from each other (col. 3, lines 9-19),

wherein said display unit and said recording unit are disposed in said first housing (col. 4, lines 35-65) and said signal processing unit is disposed in said second housing (col. 4, lines 1-34).

However, Ohmori does not expressly teach so that heat generated by said signal processing unit when said recording unit records the data is prevented from being conveyed directly to said recording unit.

In a similar field of endeavor, Yatsugi teaches so that heat generated by said signal processing unit (fig. 1, refs. 4 and 6) when said recording unit (ref. 7) records the data is prevented from being conveyed directly to said recording unit (col. 4, line 54 – col. 5, line 20). In light of the teaching of Yatsugi, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Ohmori with the apparatus as recited in claim 3 in order to protect the hard disk from external heat thereby reducing the size to the recording system (Yatsugi, col. 1, lines 35-40).

For **claim 5**, Ohmori discloses an image pickup apparatus (figs. 1, 2, 6 and 7) comprising:

a camera unit (fig. 6/fig. 7, ref. 12) for picking up an image of an object (col. 4, lines 1-365);

a signal processing unit (figs. 6/7, ref. 10) for processing an image signal output from said camera unit (col. 4, lines 1-34; col. 4, line 35 – col. 5, line 41);

a recording unit (fig. 7, refs. 20, 26, 58, 59, 80; col. 3, lines 10-31) for recording data by inherently heating a recording medium (figs. 6/7, refs. 20/56; col. 4, lines 14-65); This is inherent because when images are stored, heat is generated due to the electrical connection (transferring of signal charges) between the memory card and the camera (col. 4, lines 14-65);

a display (fig. 7, ref. 81) unit for displaying the image signal (col. 4, line 35 – col. 5, line 41);
and

a main housing (fig. 1) comprising a first housing (ref. 10) and a second housing (ref. 12), which are different from each other (col. 3, lines 9-19),

wherein said display unit and said signal processing unit are disposed in said first housing (col. 4, line 35 – col. 5, line 41) and said camera unit and said recording unit are disposed in said second housing (col. 4, lines 1-34).

However, Ohmori does not expressly teach so that heat generated by said signal processing unit when said recording unit records the data is prevented from being conveyed directly to said recording unit.

In a similar field of endeavor, Yatsugi teaches so that heat generated by said signal processing unit (fig. 1, refs. 4 and 6) when said recording unit (ref. 7) records the data is prevented from being conveyed directly to said recording unit (col. 4, line 54 – col. 5, line 20). In light of the teaching of Yatsugi, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Ohmori with the apparatus as

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recited in claim 5 in order to protect the hard disk from external heat thereby reducing the size to the recording system (Yatsugi, col. 1, lines 35-40).

For **claim 6**, Ohmori discloses an image pickup apparatus (figs. 1, 2, 6 and 7)

comprising:

a camera unit (fig. 6/fig. 7, ref. 12) for picking up an image of an object (col. 4, lines 1-365);

a signal processing unit (figs. 6/7, ref. 10) for processing an image signal output from said camera unit (col. 4, lines 1-34; col. 4, line 35 – col. 5, line 41);

a recording unit (fig. 7, refs. 10/40) for recording data by inherently heating a recording medium (col. 4, lines 35-65); This inherent because when images are stored, heat is generated due to the electrical connection (transferring of signal charges) between the memory card/accessory module and the camera (col. 4, lines 35-65);

a display unit (fig. 7, ref. 81) for displaying the image signal (col. 4, line 35 – col. 5, line 41);

and

a main housing (fig. 1) comprising a first housing (refs. 10/40) and a second housing (ref. 12), which are different from each other (col. 3, lines 9-19),

wherein said display unit and said recording unit are disposed in said first housing (col. 4, lines 35-65) and said camera unit and said signal processing unit are disposed in said second housing (col. 4, lines 1-34).

However, Ohmori does not expressly teach so that heat generated by said signal processing unit when said recording unit records the data is prevented from being conveyed directly to said recording unit.

In a similar field of endeavor, Yatsugi teaches so that heat generated by said signal processing unit (fig. 1, refs. 4 and 6) when said recording unit (ref. 7) records the data is prevented from being conveyed directly to said recording unit (col. 4, line 54 – col. 5, line 20). In light of the teaching of Yatsugi, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Ohmori with the apparatus as recited in claim 6 in order to protect the hard disk from external heat thereby reducing the size to the recording system (Yatsugi, col. 1, lines 35-40).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carramah J. Quiett whose telephone number is (571) 272-7316. The examiner can normally be reached on 8:00-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NgocYen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CJQ
January 4, 2008



NGOC-YEN VU
SUPERVISORY PATENT EXAMINER